

ORIGINAL

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2020 AUG 19 PM 1:06

UNITED STATES OF AMERICA

CRIMINAL NO.

DEPUTY CLERK 

V.

CODY GENE REYNOLDS

3-20CR0374-M

INDICTMENT

The United States Grand Jury charges:

At all times material to this indictment:

Introduction

1. On or about March 1, 1988, Kevin Lyndel Massey, a/k/a "KC Massey" was convicted of a crime punishable by imprisonment for a term exceeding one year, that is, Burglary of a Habitation, in Dallas County, Texas.

2. On or about August 29, 2014, Massey and other members of a militia group were detained by a United States Customs and Border Patrol agent after a member of the militia group pointed a firearm at the agent.

3. On or about November 4, 2014, Massey was indicted in the Southern District of Texas in case number 1:14-cr-876, and charged with four counts of Possession of Firearm by a Convicted Felon, in violation of 18 U.S.C. § 922(g)(1). On or about September 30, 2015, Massey was found guilty of the four counts of Possession of a

Firearm by a Convicted Felon. On or about January 4, 2016, Massey was sentenced to serve forty-one months in prison to be followed by three years of supervised release.

4. On or about June 29, 2018, Massey was released from the Federal Bureau of Prisons and his three year term of supervised release began in Southern District of Texas case number 1:14-cr-876. Thereafter, on or about April 5, 2019, Massey's supervised release was transferred to the Northern District of Texas, and a Northern District of Texas case number 3:19-cr-170-B was assigned.

5. On or about May 1, 2019, a warrant for Massey's arrest was issued for violation of supervised release in case number 3:19-cr-170-B.

6. Ammo Depot, LLC ("Ammo Depot") located at 2308 County Road 226, Caddo Mills, Texas, was a licensed firearms dealer within the meaning of Chapter 44, Title 18, United States Code, at all times specified in this Indictment.

7. A Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") Form 4473, Firearms Transaction Record, must be completed by a prospective purchaser of a firearm to affect the sale of a firearm from a licensed firearms dealer. Specifically, Question 11.a. requires the prospective purchaser to certify—under penalty of law—that he or she is "the actual transferee/buyer of the firearm(s) listed on this form," which is a fact material to the lawfulness of the firearm sale.

8. On or about December 2, 2018, defendant **Cody Gene Reynolds** purchased a Diamondback Arms, Inc., model DB-15, 5.56 caliber pistol, bearing serial number DB1525347 from Ammo Depot. In connection with his purchase of the firearm,

Reynolds executed an ATF Form 4473 representing that he was the actual transferee/buyer of the firearm.

9. On or about December 2, 2018, defendant **Cody Gene Reynolds** provided the Diamond Back Arms 5.56 caliber pistol to convicted felon Kevin Lyndel Massey.

Count One
Acquiring a Firearm from a Licensed Firearm Dealer
by False or Fictitious Statement
[Violation of 18 U.S.C. § 922(a)(6)]

10. Paragraphs 1 through 9 of this indictment are re-alleged and incorporated by reference as though fully set forth herein.

11. On or about December 2, 2018, in the Dallas Division of the Northern District of Texas, defendant **Cody Gene Reynolds**, in connection with the acquisition of a firearm, to-wit: a Diamondback Arms, Inc., model DB-15, 5.56 caliber pistol, bearing serial number DB1525347, from Ammo Depot, a licensed dealer of firearms within the meaning of Chapter 44, Title 18 United States Code, knowingly made a false and fictitious written statement to the Ammo Depot, which statement was intended and likely to deceive the Ammo Depot, as to a fact material to the lawfulness of such sale of said firearm to **Cody Gene Reynolds** under Chapter 44 of Title 18, in that **Cody Gene Reynolds** did execute a Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) Form 4473, Firearms Transaction Record, to the effect that he was the actual transferee/buyer of the firearm, when in fact, as **Cody Gene Reynolds** then knew, Kevin Lyndel Massey was the actual transferee/buyer of the firearm.

In violation of 18 U.S.C. §§ 922(a)(6), the penalty for which is found at 18 U.S.C. § 924(a)(2).

Count Two

**False Statement with Respect to Information Required to be
Kept in Records of a Licensed Firearms Dealer
[Violation of 18 U.S.C. § 924(a)(1)(A)]**

12. Paragraphs 1 through 9 of this indictment are re-alleged and incorporated by reference as though fully set forth herein.

13. On or about December 2, 2018, in the Dallas Division of the Northern District of Texas, defendant **Cody Gene Reynolds** made a false statement and representation to Ammo Depot, a federally licensed firearms dealer under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Ammo Depot, in that **Cody Gene Reynolds** did execute a Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) Form 4473, Firearms Transaction Record, to the effect that he was the actual transferee/buyer of a Diamondback Arms, Inc., model DB-15, 5.56 caliber pistol, bearing serial number DB1525347, whereas in truth and in fact, he was not the actual transferee/buyer of this firearm.

In violation of 18 U.S.C. § 924(a)(1)(A).

Count Three

**Felon in Possession of a Firearm and Ammunition; Aiding and Abetting
[Violation of 18 U.S.C. §§ 922(g)(1) and 2]**

14. Paragraphs 1 through 9 of this indictment are re-alleged and incorporated by reference as though fully set forth herein.

15. On or about December 2, 2018, in the Dallas Division of the Northern District of Texas, defendant **Cody Gene Reynolds** did knowingly aid and abet Kevin Lyndel Massey to unlawfully possess in and affecting interstate and foreign commerce a firearm, to-wit: a Diamondback Arms, Inc., model DB-15, 5.56 caliber pistol, bearing serial number DB1525347, knowing that Kevin Lyndel Massey had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a felony offense.

In violation of 18 U.S.C. §§ 922(g)(1) and 2, the penalty for which is found at 18 U.S.C. § 924(a)(2).

A TRUE BILL



FOREPERSON

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FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

CODY GENE REYNOLDS

INDICTMENT

18 U.S.C. § 922(a)(6)
Acquiring a Firearm from a Licensed Firearm Dealer
by False or Fictitious Statement
(Count 1)

18 U.S.C. § 924(a)(1)(A)
False Statement with Respect to Information Required to be
Kept in Records of a Licensed Firearms Dealer
(Count 2)

18 U.S.C. §§ 922(g)(1) and 2
Felon in Possession of a Firearm and Ammunition; Aiding and Abetting
(Count 3)

3 Counts

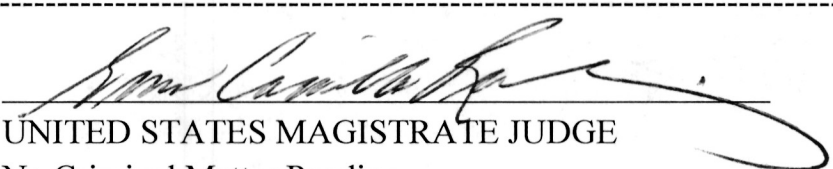
A true bill rendered

DALLAS

FOREPERSON

Filed in open court this 19 day of August, 2020.

Warrant to be Issued


UNITED STATES MAGISTRATE JUDGE
No Criminal Matter Pending